UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,799	03/16/2004	Matthew B. MacLaurin	MS1-4145US	1907

22801   7590   04/01/2010
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EXAMINER
PARKER, BRANDON

ART UNIT	PAPER NUMBER
2174	

NOTIFICATION DATE	DELIVERY MODE
04/01/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
	10/801,799	MACLAURIN ET AL.
Office Action Summary	Examiner	Art Unit	
	BRANDON PARKER	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _30 December 2009_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,3-11,13-18 and 20-23_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1, 3-11, 13-18 and 20-23_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   **Office Action Summary**   Part of Paper No./Mail Date 20100327

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

12/30/2009 has been entered.

Response to Arguments

Regarding claim 1, Applicant argues Klevenz nor Baker

disclose a graphical representation of the two or more

collections of data items comprising the differing applications.

Examiner respectfully diagrees, Baker discloses stack of

images can also be created to order by the user based on user

preference. A server side script is an executable program, or a

set of commands stored in a file, that can be run by a server

program to produce an HTML document that is then returned to a

Web browser. Typical script actions include running applications

to retrieve information from a database and creating an HTML

document with the retrieval information. The script may be run

on the Web server when, for example, the end user submits an

HTML form request for a stack of images relating to a subject

for which a preformed stack does not exist. For example, a Web

server according to an embodiment may have an interface for

running external programs, such as a Common Gateway Interface

(CGI). The CGI is a program that handles incoming information

requests and returns the appropriate document or generates a

document dynamically. According to an embodiment of the present

disclosure, a gateway may have the capability of receiving a

request from a user for defined image types, searching a

database for images and information relating to the request and

translating the images and information into a stack of images

with related information which can then be sent to the user as a

stack. The gateway program may be written in a language such as

"C" or in a scripting language such as Practical Extraction and

Report Language (PERL) or Tool Control Language (TCL) or one of

the Unix operating system shell languages. The CGI standard

specifies how the script or application receives input and

parameters, and specifies how any output should be formatted and

returned to the server (Par. 0055) wherein the different

applications are disclosed as HTML documents, CGI

programs/documents and by way of a gateway program.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which

forms the basis for all obviousness rejections set forth in this

Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3-11, 13-18 and 20-23 are rejected under 35

U.S.C. 103(a) as being unpatentable over Klevenz et al (US

Publication 20030137540 hereinafter" Klevenz") in view of Baker

et al (US Publication 20020047856 hereinafter "Baker").

Regarding claim 1, Klevenz discloses a system comprising a

processor; a memory accessed by and operated on by the processor

"a user interface state comprises a navigation state stored in a

stack structure, and placing information about a replacement

pane in a user interface state comprises pushing information

about the replacement pane onto the stack structure", (Par.

0015) comprising: at least one display object having metadata

tags that describe two or more collections of data items

"metadata to categorize documents into multiple taxonomies, for

browsing and/or retrieval", (Par. 0058, Fig. 5B, Par. 0080, Par.

0081), "information could include information about data", (Par.

0059); and a control component that selectively animates a

presentation of the collections of data items based in part on

the metadata tags and detected user activities (Par. 0058);

global controls for collecting unrelated data items in the

collections of data items and subsequently preview items the

collection of data items (Par. 0077); and

one or more controller inputs to control the presentation of the

collection of data items, wherein a user utilizes the one or

more controller inputs to navigate the collections of data items

via selecting a collection, "a user interface may present data

of an application in an organized format. Furthermore, a user

interface may allow a user to navigate through data and select

certain data for more detailed analysis. Additionally, a user

interface may contain a data entry portion. Thus, a user

interface may present data to and receive data from a user for

an application", (Par. 0040) wherein selection of the collection

of data items changes the order of the collection and moves the

selected collection of data items to the front of the collection

"the user interface state would be updated to reflect

replacement of a pane in the page with the next pane", (Par.

0065), allowing the user to navigate the rest of the collections

of data items in a finer grained manner starting at the selected

collection "system and technique may allow for finer-grained

navigation than on a page level. Moreover, the navigation may be

fluid as it may proceed forward and/or backward and different

actions for a control may affect the navigation differently",

(Par. 0028).

    Klavenz does not disclose each collection of data items

being a differing application.

    Baker discloses a method of providing web -based stacked

images (i.e. collection of data items) includes providing a

database of image data, the image data representing a plurality

of separate images, displaying at least a portion of the

plurality of separate images, creating a stack of image data by

individually selecting images from the displayed images, wherein

each time an image is selected, the image data representing the

selected image is pushed onto the stack of image data (i.e.

moves the selected collection of data items to the front of the

collection) the stack of image data including information

defining an order in which the selected images are to be

displayed and assigning a tag to the stack of image data,

uniquely identifying the stack of image data, the tag being

included in the stack of image data (Abstract, Fig. 1). Baker

discloses display stacked images and data relating to the image

(S19, Fig. 1) and an unrelated images (S20, Fig. 1). Baker

discloses are different application program images (Par. 0043,

Par. 0055)

It would have been obvious to one skilled in the art at the

time of invention to combine the stacked/unstacked application

program images as taught by Baker with the finer grained

navigation of Klevenz to effectively reorder a collection of

items.

Regarding claim 3, Klevenz discloses a system of claim 2, the

controller inputs include at least one of a mouse curser

control, a mouse wheel control, a voice command, an eye-gaze

control, and a mechanical control to control the presentation of

items "a pointing device (e.g., a mouse or a trackball) by which

the user can provide input to the computer", (Par. 0108)

Regarding claim 4, Klevenz discloses a system of claim 1, the

collection of data items further comprise a top item displayed

as a thumbnail preview or an expanded size preview "a user

interface state comprises a navigation state stored in a stack

structure, and placing information about a replacement pane in a

user interface state comprises pushing information about the

replacement pane onto the stack structure", (Par. 0015, 0027,),

it is implied my pushing a pane to the top of a stack the size

of the pane will be expanded when display.

Regarding claim 5, Klevenz discloses a system of claim 1,

further comprising a control to provide a transitional animation

that is employed to visually link movement of an axial

controller with a change in a displayed icon "a page for a user

interface, the page comprising a pane; receiving an indication

of user interaction with a portion of the page; determining an

event associated with the indicated interaction; and selectively

generating a replacement pane based on the event determination",

Abstract

Regarding claim 6, Klevenz discloses a system of claim 1,

further comprising a currently selected preview image that is

integrated with a collection icon as a reminder of collection

contents, "specifying an event associated with replacement of a

pane comprises specifying whether a previously used pane should

replace the pane", (Par. 0023)

Regarding claim 7, Klevenz discloses a system of claim 1, the

control component further comprises at least one of an object

locator, a command detector, a content analyzer, and a formatter

to selectively animate the presentation of the items (Par.

0108), it is implied the mouse is a moved by the detected user

command i.e. detects user interaction with the user interface
and communicates messages (Par. 0040).

Regarding claim 8, Klevenz discloses a system of claim 1,
further comprising a graphical user interface to selectively
animate the presentation of items (Abstract).

Regarding claim 9, Klevenz discloses a system of claim 8, the
graphical user interface further comprising a set of preference
controls that can change, by type of item, preview
visualizations and access behaviors associated therewith
("customize the application, which is beneficial because one
customer may prefer a more streamlined application" Par. 0028
0041)

Regarding claim 10, Klevenz discloses a system of claim 1, the
collections of data items include one or more subcomponents that
can be previewed, selected, or displayed (section/subsections
Par. 0080).

Regarding claim 11, Klevenz discloses a system of claim 1, the
items can be previewed in two dimensional or three dimensional
form (118b, Fig. 1)

Regarding claim 13, Klevenz discloses a system of claim 1,
further comprising controls to scale the collection of items to
be previewed (Par. 0007)

Regarding claim 14, Klevenz discloses a system of claim 1,
further comprising a control to determine a rough position of
the collection in the collection of items (Par. 0057)

Regarding claim 15, Klevenz discloses a computer readable medium
having computer readable instructions stored thereon for
implementing at least one of the display object and the control
component of claim 1 (Par. 0107).

Regarding claim 16, Klevenz discloses a computer readable
storage media comprising computer executable instructions that
when executed by a processor perform steps "a user interface
state comprises a navigation state stored in a stack structure,
and placing information about a replacement pane in a user
interface state comprises pushing information about the
replacement pane onto the stack structure", (Par. 0015)
comprising: displaying a set of information items; selecting the
set of information items by moving a mouse cursor over them
(Abstract); detecting a value with respect to the set of
information items "receiving an indication of user interaction
with a portion of the page; determining an event associated with

the indicated interaction; and selectively generating a

replacement pane based on the event determination", (Abstract);

and previewing the information items based upon incrementing or

decrementing the value "user interface state is included with a

message containing information regarding the replacement pane",

Claim 36.

    Klevenz does not explicitly disclose to define a currently

selected information item and upon moving the mouse cursor from

the set of information items, integrating the currently selected

information item with the remaining information items such the

the selected information items is left atop the stack or wherein

the stack is a graphical representation of the set of

imformation comprising the differing applications.

        Baker discloses a method of providing web -based

stacked images (i.e. collection of data items) includes

providing a database of image data, the image data representing

a plurality of separate images, displaying at least a portion of

the plurality of separate images, creating a stack of image data

by individually selecting images from the displayed images,

wherein each time an image is selected, the image data

representing the selected image is pushed onto the stack of

image data (i.e currently selected information item with the

remaining information items such the the selected information

items is left atop the stack) the stack of image data including

information defining an order in which the selected images are

to be displayed and assigning a tag to the stack of image data,

uniquely identifying the stack of image data, the tag being

included in the stack of image data (Abstract, Fig. 1). Baker

discloses display stacked images and data relating to the image

(S19, Fig. 1) and an unrelated images (S20, Fig. 1). Baker

discloses are different application program images (Par. 0043,

Par. 0055)

    It would have been obvious to one skilled in the art at the

time of invention to combine the stacked/unstacked application

program images as taught by Baker with the finer grained

navigation of Klevenz to effectively reorder a collection of

items.

Regarding claim 17, Klevenz discloses computer readable storage

media comprising computer executable instructions that when

executed by a processor perform steps, comprising: selecting a

stack of display items with a first control "a user interface

state comprises a navigation state stored in a stack structure,

and placing information about a replacement pane in a user

interface state comprises pushing information about the

replacement pane onto the stack structure", (Par. 0015) and

cycling the stack of display items "a user interface state

comprises a navigation state stored in a stack structure, and

placing information about a replacement pane in a user interface

state comprises pushing information about the replacement pane

onto the stack structure", (Par. 0015) with a second control in

order to provide an information preview with respect to at least

one of the items "user interface 114 includes a page 116, also

known as a screen, that is itself composed of panes 118. A pane

may be rectangular, square, elliptical, circular, or any other

appropriate shape. As illustrated, pane 118a contains pane 118b

and pane 118c. Additionally, pane 118b contains controls 120a-b

and pane 118c contains control 120c. A control is basically a

container for widgets that are displayed in the user interface.

Thus, a control could be a composite of input fields, labels,

buttons, and other fields. An example of controls is a "name"

control and an "address" control for a shipping function. The

"address" control, for instance, may contain five widgets: two

input fields for entering street address, one drop-down box for

choosing state, one input field for entering zip code, and one

"ok" button to indicate that the address is complete. As

illustrated by the controls example, user interface 114 may also

facilitate the receipt of input from a user, such as, for

example, the input of information and the selection of an action

associated with information and/or a control", (Par. 0042),

Klevenz does not explicitly disclose the display items

being differing applications.

Baker discloses a method of providing web -based stacked

images (i.e. collection of data items) includes providing a

database of image data, the image data representing a plurality

of separate images, displaying at least a portion of the

plurality of separate images, creating a stack of image data by

individually selecting images from the displayed images, wherein

each time an image is selected, the image data representing the

selected image is pushed onto the stack of image data (i.e

currently selected information item with the remaining

information items such the the selected information items is

left atop the stack) the stack of image data including

information defining an order in which the selected images are

to be displayed and assigning a tag to the stack of image data,

uniquely identifying the stack of image data, the tag being

included in the stack of image data (Abstract, Fig. 1). Baker

discloses display stacked images and data relating to the image

(S19, Fig. 1) and an unrelated images (S20, Fig. 1). Baker

discloses are different application program images (Par. 0043,
Par. 0055)

It would have been obvious to one skilled in the art at the
time of invention to combine the stacked/unstacked application
program images as taught by Baker with the finer grained
navigation of Klevenz to effectively reorder a collection of
items.

Regarding claim 18, Klevenz discloses computer readable storage
media of claim 17, further comprising the steps of providing a
transitional display for at least two display items in
accordance with the second control (Par. 0042, 120a, 120b, Fig.
1)

Regarding claim 20, Klevenz discloses computer readable storage
media of claim 17, the information preview is associated with at
least one of a display that is about the same size as the stack,
smaller than the stack, and larger than the stack (120a, 120b
Fig. 1)

Regarding claim 21, Klevenz discloses computer readable storage
media of claim 17, the first control is associated with a curser
which is controlled by a mouse and the second control is

associated with a wheel of the mouse (mouse Par. 0108,

pointer/control, Par. 0091)

Regarding claim 22, Klevenz discloses a computing device, a

processor, a memory accessed by and operated by the processor;

and a graphical user interface (Fig. 1-4), comprising: a display

object for displaying a group of pages ("user interface 114--

from pages to panes to controls", Par. 0054, Par. 0006); a tag

associated with each member page from the group of pages "a

subsection 422 that specifies the components in the pane", (Par.

0081, see Fig. 4a); a curser to select the group of pages "a

control has been selected for pane 330, the control has been

rendered, and information regarding the control has been

conveyed to the user interface device" (Par. 0074) wherein

"Controls 143 and renderers 144 may be reusable between

applications, user interfaces, pages, and/or panes", (Par.

0049); and an axial controller to cycle the group of pages.

    Klevenz does not explicitly disclose the pages representing

differing applications.

        Baker discloses a method of providing web -based

stacked images (i.e. collection of data items) includes

providing a database of image data, the image data representing

a plurality of separate images, displaying at least a portion of

the plurality of separate images, creating a stack of image data

by individually selecting images from the displayed images,

wherein each time an image is selected, the image data

representing the selected image is pushed onto the stack of

image data (i.e currently selected information item with the

remaining information items such the the selected information

items is left atop the stack) the stack of image data including

information defining an order in which the selected images are

to be displayed and assigning a tag to the stack of image data,

uniquely identifying the stack of image data, the tag being

included in the stack of image data (Abstract, Fig. 1). Baker

discloses display stacked images and data relating to the image

(S19, Fig. 1) and an unrelated images (S20, Fig. 1). Baker

discloses are different application program images (Par. 0043,

Par. 0055)

     It would have been obvious to one skilled in the art at the

time of invention to combine the stacked/unstacked application

program images as taught by Baker with the finer grained

navigation of Klevenz to effectively reorder a collection of

items.

Regarding claim 23, Klevenz discloses a computer device of claim 22, the axial controller causes a transition animation between pages when cycling the group of pages (Par. 0076-0078).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDON PARKER whose telephone number is (571)270-1302. The examiner can normally be reached on Monday thru Friday 730- 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on 571-272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DENNIS-DOON CHOW/   Brandon Parker
Supervisory Patent Examiner, Art Unit 2174   Examiner
                                                     Art Unit 2174